

August 27, 2004

The Honorable Michael K. Powell, Chairman
The Honorable Kathleen Q. Abernathy, Commissioner
The Honorable Kevin J. Martin, Commissioner
The Honorable Michael J. Copps, Commissioner
The Honorable Jonathan S. Adelstein, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: WC Docket No. 04-242 and CC Docket. No. 01-338 -- *Ex Parte*

Dear Chairman Powell and Commissioners:

We, the undersigned, are advocates and supporters of the Commission's ongoing efforts to accelerate the deployment of broadband technologies to all residential consumers, especially to the most vulnerable individuals in our society. We thank you for the clarification in the Triennial Review Order that assures that multi-unit premises (MUPs), such as apartment buildings, are treated like single-family homes (with no requirements for providers to share or "unbundled" their networks), rather than like large businesses (subject to unbundling requirements).

However, we are disappointed that there continues to be other regulatory impediments that prevent the industry from making the full commitment of resources necessary to accelerate deployment to consumers. Specifically, we add our voices to those who are urging the Commission to clarify that when it repealed the Section 251 unbundling requirements of the Telecommunications Act of 1996 it did not intend to leave similar requirements in place under Section 271. The Commission's failure to make this simple clarification continues to prevent aggressive deployment to consumers because it imposes significant uncertainty on the industry. The cost of this regulatory uncertainty is enormous particularly to residential and small business consumers and to the economy.

We strongly urge the Commission to grant the pending forbearance request under Section 271. At the same time, it is imperative that the Commission ensure that consumers benefit from this forbearance. Therefore, we believe that the Commission must guarantee that the pace of deployment increases, especially for our nation's underserved population: people with disabilities, seniors, lower income, rural, minority and small business consumers.

Respectfully submitted by the undersigned,



Dirck A. Hargraves
Counsel
Telecommunications Research and Action Center
Post Office Box 27279
Washington, DC 20005
202.263.2950

Susan M. Greco
Executive Director
Deafness Research Foundation/ National
Campaign for Hearing Health
1050 17th Street, NW, Suite 701
Washington, DC 20036

Will Thomas
Director, External Relations
The Gray Panthers
733 - 15th Street NW, Suite 437
Washington, DC 20005

Gabriel Lemus, PhD.
Director of Policy and Legislation
League of United Latin American
Citizens
2000 L Street, NW, Suite 610
Washington, DC 20036

Harry Alford
President and CEO
National Black Chamber of Commerce
1350 Connecticut Avenue, NW, Suite 405
Washington, DC 20036

Derek Lee Span
Executive Director
Community Action Partnership
110 17th Street NW, Suite 500
Washington, DC 20036

Joe Leonard
Executive Director
Black Leadership Forum
P.O. Box 34506
Washington, DC 20043-4506

Leroy Watson
Legislative Director
National Grange of the Order of Patrons
of Husbandry
1616 H. Street, NW
Washington, DC 20006-4999

Andrew J. Imparato
President and CEO
American Association of People with Disabilities
1629 K. Street, NW, Suite 503
Washington, DC 20006